

CITY COMMISSION REGULAR MEETING AGENDA

DECEMBER 7, 1999 - 6:00 P.M.

Roll Call

Invocation: Reverend Dr. Keith L. Riddle, First Presbyterian Church

Pledge of Allegiance

Approval of Minutes and Agenda: November 16, 1999

PRESENTATIONS

1. The Mayor and City Commissioners will present an Expression of Sympathy to the family of *Lewis Lawson*.
2. The Mayor and City Commissioners will demonstrate the proper way to test a smoke detector.
3. The Mayor and City Commissioners will recognize the *Outstanding City Employees*.

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Winter Carnival

(M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Second Presbyterian Church of Fort Lauderdale** to indemnify, protect, and hold harmless the City from any liability in connection with the **Winter Carnival** to be held **Thursday, January 6, 2000 from 5:00 p.m. to 9:00 p.m.; Friday, January 7, 2000 from 5:00 p.m. to 11:00 p.m.; Saturday, January 8, 2000 from 1:00 p.m. to 11:00 p.m.; and Sunday, January 9, 2000 from 1:00 p.m. to 9:00 p.m.** on the church property located at 1400 North Federal Highway.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1901 from City Manager.

CONSENT AGENDA

Event Agreement – Ocean Mile Swim

(M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **International Swimming Hall of Fame** to indemnify, protect, and hold harmless the City from any liability in connection with the **Ocean Mile Swim** to be held **Wednesday, January 5, 2000 from 7:30 a.m. to 11:00 a.m.**, off the beach from Terramar Street south to S.E. 5 Street.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1900 from City Manager.

Event Agreement – Irish Fest 2000

(M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Irish Cultural Institute** to indemnify, protect, and hold harmless the City from any liability in connection with **Irish Fest 2000** to be held **Friday, February 11, 2000 from 5:00 p.m. to 11:00 p.m.; Saturday, February 12, 2000 from 12:00 noon to 11:00 p.m.; and Sunday, February 13, 2000 from 12:00 noon to 10:00 p.m.**, at Mills Pond Park.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1899 from City Manager.

Event Agreement – Down Under Tour Exhibit

(M-4)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **United Way of Broward County** to indemnify, protect, and hold harmless the City from any liability in connection with the **Down Under Tour Exhibit** to be held **Thursday, February 24, 2000 from 5:00 p.m. to 9:00 p.m.; Friday, February 25, 2000 from 9:00 a.m. to 9:00 p.m.; Saturday, February 26, 2000 from 10:00 a.m. to 8:00 p.m.; and Sunday, February 27, 2000 from 12:00 noon to 6:00 p.m.** at D. C. Alexander Park.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1898 from City Manager.

CONSENT AGENDA

**Amendment to Agreement – Boys and Girls Club of Broward County –
Advertising Convenience Bench and Sponsorship Plaque Trash Receptacle Program** (M-5)

A motion authorizing the proper City officials to execute an amendment to the agreement with the Boys and Girls Club of Broward County to extend the term of the agreement to December 31, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1820 from City Manager.

Settlement Offer – Case No. 97-4065(02) – O.R. 97-28740 - \$648,929 U.S. Currency (M-6)

A motion approving the settlement of Case No. 97-4065(02) to include the payment of \$52,000 to attorneys, payment of \$78,000 for Internal Revenue Service lien, and approximately \$602,929 to the City.

Recommend: Motion to approve.

Exhibit: Memo No. 99-10-9 from City Attorney.

**Interlocal Agreement – Broward County –
Emergency Shelter Grant and Community Development
Block Grant (CDBG) Funding for Homeless Prevention Assistance Program** (M-7)

A motion authorizing the proper City officials to execute an interlocal agreement with Broward County for the Emergency Shelter Grant and Community Development Block Grant (CDBG) funding for Homeless Prevention Assistance Program.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1883 from City Manager.

**Community Development Block Grant (CDBG) Program Amendment –
Transfer from Owner-Occupied Rehabilitation to Rental Rehabilitation
Program and Community Redevelopment Agency Acquisition Activities** (M-8)

A motion authorizing the reallocation of \$600,000 of CDBG funds to the City's Rental Rehabilitation Program and CRA acquisition activities.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1886 from City Manager.

CONSENT AGENDA

Termination of Contract with Sundell Corporation, Acceptance of Tender Agreement with Preferred National Insurance Company for default of Sundell Corporation, and Completion Contract – Florida Environmental Contractors – Project 10038 – Removal of Underground Fuel Tanks and Piping (M-9)

A motion to terminate the contract with Sundell Corporation; authorizing the proper City officials to execute a Tender Agreement with Preferred National Insurance Company; and further authorizing the proper City officials to execute an agreement with Florida Environmental Contractors, for the completion of work originally awarded to Sundell Corporation for the removal of underground fuel tanks and piping at the Compost facility.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1920 from City Manager.

Change Order No. 3 – B. K. Marine Construction, Inc. – Project 9701-B – Removal of Trees as a Result of *Hurricane Irene* (M-10)

A motion authorizing the proper City officials to execute Change Order No. 3 with B. K. Marine Construction, Inc. in the amount of \$13,200 for the removal of trees as a result of Hurricane Irene.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 99-1750 from City Manager.

Change Order No. 5 – B. K. Marine Construction, Inc. – Project 9701-B – Seawall Repairs on Bayview Drive (M-11)

A motion authorizing the proper City officials to execute Change Order No. 5 with B. K. Marine Construction, Inc. in the amount of \$24,150 for seawall repairs on Bayview Drive.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 99-1862 from City Manager.

CONSENT AGENDA

Change Order No. 1 –

Foster Marine Contractors, Inc. - Project 10031 – Line-Stop on S.W. 14 Avenue

(M-12)

A motion authorizing the proper City officials to execute Change Order No. 1 with Foster Marine Contractors, Inc. in the amount of \$12,000 to furnish, install and remove a line-stop on S.W. 14 Avenue.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 99-1861 from City Manager.

Exception to Rehabilitation Loan Policy – Ruthie Mae Nicholson

(M-13)

A motion authorizing the proper City officials to approve an exception to the City's Rehabilitation Loan Policy for Ruthie Mae Nicholson for property located at 443 N.W. 8 Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1914 from City Manager.

Florida Power and Light (FPL) Easements – 2381 N.E. 8 Street – Greenfield Park

(M-14)

A motion approving two easements to FPL (20 feet for utility purposes, 5 feet for ingress/egress) at 2381 N.E. 8 Street for the relocation of a power line at Greenfield Park.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1858 from City Manager.

Increase Down Payment Assistance -

State Housing Initiatives Program (SHIP) Purchase Assistance Program

(M-15)

A motion approving an increase in the down payment assistance on the SHIP Purchase Assistance Program from \$3,000 to \$15,000.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1888 from City Manager.

CONSENT AGENDA

Contract Award –

Water Company of America – Review of Utility Customer Accounts

(M-16)

A motion authorizing the proper City officials to execute an agreement with Water Company of America to perform a review of the City's water, sewer, and stormwater management and solid waste customer accounts at a cost of 40 percent of the increase in revenues realized by the City over a 36-month period.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1152 from City Manager.

Task Order No. 39 – CH2M Hill – Evaluation of Management, Operation and Maintenance (MOM) Program/Collection and Wastewater Treatment Systems

(M-17)

A motion authorizing the proper City officials to execute Task Order No. 39 with CH2M Hill in the amount of \$89,600 to perform MOM's audit.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 99-1887 from City Manager.

Termination of Contract with Rockland Construction; Tender Agreement with Great American Insurance Company for Default of Rockland Construction Company; and Completion Contract with Megan South Construction and Utility Contractors – Project 15110 – Earl Lifshey Park

(M-18)

A motion to terminate the contract with Rockland Construction Company; authorizing the proper City officials execute a Tender Agreement with Great American Insurance; and further authorizing the proper City officials to execute an agreement with Megan South Construction and Utility Contractors for the completion of work originally bid under Project 15110, Earl Lifshey Park.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1860 from City Manager.

CONSENT AGENDA

CCNA Contract Negotiations for Consultant

**Services – Kittleson Associates, Walter H. Keller Associates, Alan Tinter Associates, Hughes Hall, and Post Buckley Shuh & Terrigan - Project 10159 –
Professional Traffic and Transportation Engineering Consulting Services**

(M-19)

A motion approving the Consultant Selection Committee's recommendation to commence contract negotiations with Kittleson Associates, Walter H. Keller Associates, Alan Tinter Associates, Hughes Hall, and Post Buckley Shuh & Terrigan (PBS&J) to provide traffic and transportation engineering consulting services on an as needed basis.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1863 from City Manager.

Concession Agreement –

C-Scopes Beach Pictures – Photographic Services on Fort Lauderdale Beach

(M-20)

A motion authorizing the proper City officials to execute a concession agreement with C-Scopes Beach Pictures to take photographs on Fort Lauderdale Beach, south of Sunrise Boulevard and north of S.E. 5 Street.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1911 from City Manager.

Amendment to Maintenance Agreement – Fort Lauderdale Downtown

Transportation Management Association (TMA) – Bus Shelters

(M-21)

A motion authorizing the proper City officials to execute an amendment to the maintenance agreement with the Fort Lauderdale Downtown TMA with regards to bus shelters. (Please see Item M-22 on this Agenda and Item I-C on the Conference Agenda)

Recommend: Motion to approve.

Exhibit: Memo No. 99-1670 from City Manager.

Annual Membership Dues – Fort Lauderdale

Downtown Transportation Management Association (TMA)

(M-22)

A motion approving the renewal of the City's annual membership to the Fort Lauderdale Downtown TMA in the amount of \$10,000. (Please see Item M-21 on this Agenda and Item I-C on the Conference Agenda)

Recommend: Motion to approve.

Exhibit: Memo No. 99-1686 from City Manager.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
182-7819	Amendment to contract to provide travel agency and related services City-wide	Business Travel Advisor's/MBE Ft. Lauderdale, FL	<u>Pur-1</u> \$ 2,000.00 (estimated)

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 99-1829 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve amendment to contract.

Prop	Purchase of a factory rebuilt envelope-inserting machine Admin. Serv./Cent. Serv.	Bell & Howell Durham, NC	<u>Pur-2</u> \$ 27,600.00
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Bids Solicited/Received: N/A

Exhibits: Memorandum No. 99-1854 from City Manager

Remarks: Transfer of \$27,600.00 from Central Services Fund Retained Earnings to Capital Machinery (ADM030201-6407).

Recomm: Approve proprietary purchase with transfer of funds.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
			<u>Pur-3</u>
Prop	One year support and maintenance agreement for Action, Encompass and Utility Billing software Admin. Serv./Info. Systems	Pentamation Corporation Bethlehem, PA	\$ 24,511.69

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 99-1852 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

			<u>Pur-4</u>
Prop	Consultant services to perform a non-bargaining unit classification and pay study Admin. Serv./Personnel	WMS and Company, Inc. (WMS) King of Prussia, PA	\$ 65,000.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 99-1689 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
			<u>Pur-5</u>
702-8245	Purchase of one truck tractor	Rechtien International Trucks	
702-8224	and refuse transport trailer	Miami, FL	\$ 75,500.00
	Admin. Serv./Fleet	Steco	
		Enid, OK	<u>44,895.00</u>
			\$120,395.00

Bids Solicited/Received: 11/5
29/3 with 2 no bids

Exhibits: Memorandum No. 99-1847 from City Manager

Remarks: Transfer of \$120,395 from Vehicles (PBS090501-6416) to Fleet Fund (ADM030501-6416).

Recomm: Award to low responsive and responsible bidders with transfer of funds.

			<u>Pur-6</u>
Prop	Purchase of 75 sets of	Safety Equipment Company	
	firefighting protective clothing	Orlando, FL	\$ 110,946.75
	Fire-Rescue/EMS		

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 99-1851 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
392-81560	Two year contract for ADA Consultant Services Risk Mgmt./Architecture	Disabled Assisting Disabled (D.A.D.) Ft. Lauderdale, FL	<u>Pur-7</u> \$ 70,000.00 (estimated annual total)

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 99-1838 from City Manager

Recomm: Approve contract with first ranked proposer.

602-8229	Three year contract for setting and removal of street light poles Public Services	Horsepower Electric, Inc. Hialeah, FL	<u>Pur-8</u> \$ 27,990.00 (estimated annual total)
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Bids Solicited/Received: 11/5

Exhibits: Memorandum No. 99-1904 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Award to low responsive and responsible bidder.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

**Interim Interlocal Agreement -
Fire-Rescue Services – City of Wilton Manors**

(M-23)

A motion authorizing the proper City officials to execute a 90-day interim Interlocal Agreement with the City of Wilton Manors for fire-rescue services provided by the City of Fort Lauderdale; and further authorizing the proper City officials to proceed with the development of a comprehensive Interlocal Agreement to provide such services.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1944 from City Manager.

**Payment of Appellate Attorney Fees and Costs -
General Liability File No. GL 94-464 (Franklin Ptito)**

(M-24)

A motion authorizing the payment of the appellate attorney fees and costs on the Franklin Ptito General Liability File No. GL-94-464 in the amount of \$35,000.

Recommend: Motion to approve.

Exhibit: Memo No. 99-1941 from City Manager.

PUBLIC HEARINGS

Rezone B-3 to U (Utility) -

Florida Power and Light Company (PZ Case No. 28-Z-99)

(PH-1)

At the Planning and Zoning Board regular meeting of October 20, 1999, it was recommended by a vote of 6-0 that the following application be approved. Notice of public hearing was published November 25 and December 2, 1999.

Applicant: Florida Power and Light Company
Request: Rezone B-3 to U
Location: North of intersection of N.E. 13 Street and Progresso Drive, and west of FEC Railroad

Recommend: Open hearing; close hearing; introduce ordinance on first reading.

Exhibit: Memo No. 99-1823 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

Vacate Portion of N.E. 17 Court -

River Landings Townhomes, Inc. (PZ Case No. 13-P-99)

(PH-2)

At the Planning and Zoning Board regular meeting of October 20, 1999, it was recommended by a vote of 6-0 that the following application be approved. Notice of public hearing was published November 25 and December 2, 1999.

Applicant: River Landings Townhomes, Inc.
Request: Vacate portion of N.E. 17 Court
Location: N.E. 17 Court between N.E. 3 Avenue and N.E. 4 Avenue

Recommend: Open hearing; close hearing; introduce ordinance on first reading.

Exhibit: Memo No. 99-1721 from City Manager.

PUBLIC HEARINGS

**Public Purpose Use Approval – City of Fort Lauderdale -
Park on 3800 Block of Riverland Road (PZ Case No. 136-R-99)**

(PH-3)

At the Planning and Zoning Board regular meeting of October 20, 1999, it was recommended by a vote of 4-1 that the following application be approved. Notice of public hearing was published November 25 and December 2, 1999.

Applicant: City of Fort Lauderdale
Request: Public purpose use approval
Location: 3800 Block of Riverland Road, west of S.W. 36 Terrace

Recommend: Open hearing; close hearing; introduce ordinance on first reading.

Exhibit: Memo No. 99-1752 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

**Rights-of-Way Use Agreement -
Frontier Communications, a Telecommunication Services Provider**

(PH-4)

A public hearing to consider an ordinance, pursuant to Sections 8.15 and 8.17 of the City Charter, granting to Frontier Communications, the non-exclusive right to occupy the rights-of-way in the City for the placement of telecommunications facilities, and further authorizing the proper City officials to execute a rights-of-way use agreement with Frontier Communications, setting forth the terms and conditions of its occupancy of the rights-of-way. Notice of public hearing was published November 25 and December 2, 1999.

Recommend: Open hearing; close hearing; introduce ordinance on first reading.

Exhibit: Memo No. 99-1788 from City Manager.

ORDINANCES

**Amend Sections 47-13, “Downtown Regional Activity Center,” and 47-24,
“Development Permits and Procedures,” of the Unified Land Development Regulations (O-1)**

An ordinance amending the Unified Land Development Regulations of the City to amend Section 47-13, “Downtown Regional Activity Center (RAC) Districts,” and Section 47-24, “Development Permits and Procedures,” to provide for City Commission Request for Review for development in the Downtown RAC zoning districts. Ordinance No. C-99-75 was published October 23, 1999, and passed on first reading on November 2, 1999 by a vote of 5-0. On November 16, 1999, second reading was deferred to December 7, 1999 by a vote of 5-0.

Recommend: Motion to defer second reading to December 21, 1999.

Exhibit: Memo No. 99-1890 from City Manager;
 Memo No. 99-1836 from City Manager; and
 Memo No. 99-1711 from City Manager.

**Amend ULDR Section 47-12 –
North Beach Area and Central Beach District (PZ Case No. 18-R-99) (O-2)**

At the regular meeting of the Planning and Zoning Board on January 21, 1999, it was recommended by a vote of 5-0 that Items 2, 3, 4, 5, 6, 9, 10, 11, 12 and 13 be approved; and at the regular meeting of the Planning and Zoning Board on February 18, 1999, it was recommended by votes of 7-0 and 6-1 that Items 1, 7 and 8 be approved. Notice of proposed ordinance was published April 10, 1999. Notice of discussion of additional regulations was published on September 13, 1999.

Applicant: City of Fort Lauderdale
 Request: Amend ULDR Section 47-12, North Beach Area and Central Beach Districts

Recommend: Motion to defer second reading to February 1, 2000 at 6:00 p.m.

Exhibit: Memo No. 99-1915 from City Manager.

**Amend ULDR Section 47-20.14 –
Lighting of Parking Facilities (PZ Case No. 2-T-99) (O-3)**

An ordinance amending the Parking Regulations of the Unified Land Development Regulations (ULDR) of the City to amend Section 47-20.14, “Lighting of Parking Facilities,” to amend the degree of illumination of parking facilities. Notice of proposed ordinance was published November 27, 1999.

Applicant: City of Fort Lauderdale
 Request: Amend ULDR Section 47-20.14, Lighting of Parking Facilities

Recommend: Motion to defer first reading to January 4, 2000 at 6:00 p.m.

Exhibit: Memo No. 99-1906 from City Manager.

ORDINANCES

Amend ULDR Sections 47-19 and 47-2 – Measurement of Height and Grade of Structures/Swimming Pools and Similar Structures (PZ Case No. 1-T-99)

(O-4)

An ordinance amending the Unified Land Development Regulations (ULDR) of the City to amend Section 47-19.2, "Accessory Buildings and Structures, General," Section 47-19.5, "Fences, Walls and Hedges," and Section 47-2, "Measurements," to revise provisions regarding measurement of height and grade of structures, and increasing the maximum height permitted for swimming pools and similar structures.

Applicant: City of Fort Lauderdale

Request: Amend ULDR Sections 47-19 and 47-2 – measurement of height and grade of structure/swimming pools and similar structures

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 99-1780 from City Manager.

RESOLUTIONS

**Maintenance Memorandum of Agreement –
Florida Department of Transportation (FDOT) – State Road A-1-A/
Seabreeze Boulevard from the Mercedes River Bridge to the South Beach Parking Lot (R-1)**

A resolution authorizing the proper City officials to execute a maintenance agreement with FDOT for landscaping and decorative paver crosswalks along State Road A-1-A/Seabreeze Boulevard, from the Mercedes River Bridge to the South Beach parking lot.

Recommend: Introduce resolution.

Exhibit: Memo No. 99-1865 from City Manager.

**Banner Sign Permit Applications –
Florida Department of Transportation (FDOT) Rights-of-Way (R-2)**

A resolution authorizing the City Manager, or his designee, to serve as the applicant for banner permits to be placed in FDOT rights-of-way.

Recommend: Introduce resolution.

Exhibit: Memo No. 99-1934 from City Manager.

**Amendment to Interlocal Agreement -
Metropolitan Planning Organization (MPO) – Additional Proposed Changes (R-3)**

A resolution authorizing the City Manager, or his designee, to serve as the applicant for banner permits to be placed in FDOT rights-of-way.

Recommend: Introduce resolution.

Exhibit: Memo No. 99-1930 from City Manager.
